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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application:	09/446,232	)	Group:	1731
Title:	SMOKING ARTICLE AND	)	Examiner:	Lopez, Carlos
	SMOKING MATERIALS THERE-	)		
	FORE	)		
Inventor:	Biggs et al.	)		
Filed:	02/14/00	)		

**AMENDMENT UNDER 37 CFR § 1.113**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the office action dated January 16, 2004 please amend the above referenced application as follows.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 6 of this paper.

Middleton & Reutlinger  
2500 Brown & Williamson Tower  
Louisville, Kentucky 40202-3410

PHONE: (502) 584-1135  
FAX: (502) 561-0442

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TO: U.S. Patent and Trademark Office  
Examiner: Carlos N. Lopez Group: 1731  
Fax #703-872-9306

FROM: Steven A. Witters, Reg. No. 53,923

DATE: April 16, 2004

PAGES: 8 in total (including cover sheet)

RE: U.S. Patent Application No. 09/446,232  
Attorney Docket No. BW-398-2

Remarks: This facsimile is a response to the Final Office Action having a mailing date of January 16, 2004

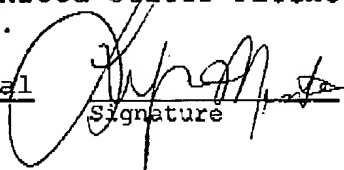
Enclosed is:

- (1) Transmittal Form;
- (2) Amendment under 37 CFR 1.113.

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PTO/SB/21 (02-04)

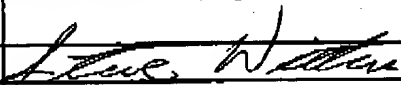
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/446,232
	Filing Date	02/14/2000
	First Named Inventor	BIGGS
	Art Unit	1731
	Examiner Name	LOPEZ
Total Number of Pages in This Submission	Attorney Docket Number	EW-398-2

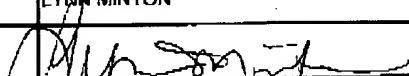
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): FACSIMILE TRANSMITTAL FORM
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	STEVEN A. WITTERS, Reg. No. 53,923
Signature	
Date	04/16/2004

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